

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No.

UNITED STATES OF AMERICA,

Plaintiff,

v.

TRAMAINÉ MICHAEL SMITH,

Defendant.

)  
) *CR 14-210 JRT*  
)  
) **INFORMATION**  
)  
) 18 U.S.C. § 982  
) 18 U.S.C. § 1349  
) 21 U.S.C. § 853  
)  
)  
)

THE UNITED STATES ATTORNEY CHARGES THAT:

**COUNT 1**

(Conspiracy to Commit Bank Fraud)

1. From at least on or about August 24, 2012, through on or about August 30, 2012, the defendant Tramaine Michael Smith, conspiring with and aiding and abetting Christopher Lindsey and others known and unknown to the United States Attorney, devised and participated in a scheme to defraud banks using counterfeit checks.

2. The following financial institution did business in the State of Minnesota and held deposits insured by the Federal Deposit Insurance Corporation and the National Credit Union Share Insurance Fund:

- a. US Bank
- b. Wings Financial Credit Union

(hereinafter referred to as the "Financial Institutions").

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3. From at least on or about August 24, 2012, through at least on or about August 30, 2012, in the State and District of Minnesota, the defendant,

**TRAMAIN MICHAEL SMITH,**

did knowingly combine, conspire, confederate and agree with Christopher Lindsey, and others known and unknown to the United States Attorney, to execute and attempt to execute a scheme and artifice to defraud the Financial Institutions, and to obtain and attempt to obtain by means of material false and fraudulent pretenses and representations, monies and funds owned by and under the custody and control of the Financial Institutions, in violation of Title 18, United States Code, Section 1349.

PURPOSE OF THE CONSPIRACY

4. The purpose of the conspiracy was to create counterfeit checks using stolen bank account information; to recruit co-conspirators to conduct fraudulent transactions at financial institutions and businesses using the counterfeit checks; and to obtain money and merchandise through the negotiation of the counterfeit checks.

MANNER AND MEANS

5. The conspiracy included the following manner and means:

a. Fraudulently obtained and stole bank account information of victims in the State of Minnesota and elsewhere;

b. Created counterfeit checks using the victims' fraudulently-obtained and stolen bank account information; and

c. Conducted fraudulent transactions at banks and businesses in the State of Minnesota by using counterfeit checks to obtain money and merchandise.

6. The defendant participated in the scheme by recruiting conspirators willing to negotiate counterfeit checks and providing the contact information for those individuals to Lindsey and others within the conspiracy so that Lindsey could manufacture counterfeit checks payable to those within the conspiracy. Defendant then obtained counterfeit checks from Christopher Lindsey and provided the counterfeit checks to the conspirators defendant had recruited. The conspirators then negotiated the counterfeit checks at banks and businesses. Defendant received a portion of the proceeds of the fraudulent transactions and shared those proceeds with Christopher Lindsey and others within the conspiracy.

7. In particular, on or about August 24, 2012, in the State of Minnesota, the defendant executed the scheme and artifice to defraud as set forth above in that the defendant recruited L.B., who agreed to negotiate a counterfeit check created by Christopher Lindsey. L.B.'s name was provided to Lindsey so that Lindsey could create a counterfeit check payable to L.B. Defendant then obtained from Christopher Lindsey a counterfeit check payable to L.B. The counterfeit check bore the name of victim business A.C.S. and was made to appear as though it was drawing on an account belonging to A.C.S. at US Bank in Minneapolis, Minnesota. Defendant then provided the counterfeit check to L.B. so that L.B. could negotiate the counterfeit check. L.B. attempted to negotiate the counterfeit check at a Wings Financial Credit Union in Edina, MN.

7. All in violation of Title 18, United States Code, Section 1349.

**FORFEITURE ALLEGATIONS**

Count 1 of this Information is hereby realleged and incorporated as if fully set forth herein by reference, for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 982(a)(2)(A).

As the result of the offenses alleged in Count 1 of this Information, the defendant shall forfeit to the United States pursuant to Title 18, United States Code, Section 982(a)(2)(A) any property constituting, or derived from, proceeds obtained directly or indirectly, as the result of such violations.

If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

Dated: 6/19/14

ANDREW M. LUGER  
United States Attorney



BY: LOLA VELAZQUEZ-AGUILU  
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Attorney ID No. 389486